

**State of Connecticut
Regulation of
Office of Policy and Management
Concerning
Personal Data**

Section 4-65a-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 4-65a-1. Personal data

(a) Definitions.

(1) The following definitions shall apply to these regulations:

(A) “Category of Personal Data” means the classification of personal information set forth in the Personal Data Act, Conn. Gen. Stat. Sec. 4-190 (9).

(B) “Other Data” means any information which because of name, identifying number, mark or description can be readily associated with a particular person.

(2) Terms defined in Conn. Gen. Stat. Sec. 4-190 shall apply to these regulations.

(b) General Nature and Purpose of Personal Data Systems.

(1) The Office of Policy and Management maintains the following personal data systems:

(A) Personnel Records

(i) All personnel records are maintained at the Office of Policy and Management, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(ii) Personnel records are maintained in both automated and manual form.

(iii) Personnel records are maintained for the purposes of providing a history of payroll, promotion, discipline and related personnel information concerning Office of Policy and Management employees.

(iv) Personnel records are the responsibility of the [Personnel Officer] Principal Human Resources Specialist whose business address is the Office of Policy and Management, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut. All requests for disclosure or amendment of these records should be directed to the [Personnel Officer] Principal Human Resources Specialist.

(v) Routine sources for information retained in personnel records are generally the employee, previous employers of the employee, references provided by applicants for employment, the employee’s supervisor, the Comptroller’s Office, Department of Administrative Services, [Division of Personnel and Labor Relations] Statewide Human Resources Management, Office of Policy and Management, Office of Labor Relations, and State insurance carriers.

(vi) Personal data in personnel records are collected, maintained and used under the authority of the State Personnel Act, Conn. Gen. Stat. Sec. 5-193 et seq.

(B) Examination and Certification Applications of Revaluation Company Employees.

(i) Examination and certification applications of revaluation company employees are maintained with the [Board of Assessment Advisers] Administrator of Data Collections, Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(ii) Examination and certification applications of revaluation company employees are maintained in manual form.

(iii) Examination and certification applications of revaluation company employees are maintained for the purpose of determining the qualifications of applicants for certification to perform property

valuations for a municipality for assessment purposes.

(iv) Examination and certification applications of revaluation company employees are maintained with the Administrator of [Program Management] Data Collections, Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

All requests for disclosure or amendment of these records should be directed to the Administrator.

(v) Routine sources of information retained in examination and certification applications of revaluation company employees include applicants for certification and professional references provided by applicants.

(vi) Personal data in examination and certification applications of revaluation company employees are collected, maintained and used under the authority of Conn. Gen. Stat. Secs. 12-2b and 12-2c.

(C) Applications for Additional Property Tax Exemption for Veterans.

(i) Applications for additional property tax exemptions for veterans are maintained with the Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(ii) Applications for additional property tax exemptions for veterans are maintained in both automated and manual forms.

(iii) Applications for additional property tax exemptions for veterans are maintained for the purposes of reimbursing municipalities for the revenue loss represented by the additional property tax exemptions and auditing and making necessary adjustments to municipal claims for reimbursement.

(iv) Applications for additional property tax exemptions for veterans are maintained with the Administrator of [Program Management] Data Collections, Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut. All requests for disclosure or amendment of these records should be directed to the Administrator.

(v) Routine sources of information retained in applications for additional property tax exemptions for veterans include applicants for the exemption and municipal assessors.

(vi) Personal data in applications for additional property tax exemptions for veterans are collected, maintained and used under the authority of Conn. Gen. Stat. Sec. 12-81g.

(D) Applications for Tax Relief for Elderly Renters and Totally Disabled Persons.

(i) Applications for tax relief for elderly renters and totally disabled persons are maintained with the Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(ii) Applications for tax relief for elderly renters and totally disabled persons are maintained in [both] automated [and manual] form.

(iii) Applications for tax relief for elderly renters and totally disabled persons are maintained for the purposes of providing a State grant in refund of utility and rent bills of income-eligible elderly renters and totally disabled persons.

(iv) Applications for tax relief for elderly renters and totally disabled persons are maintained with the Administrator of [Program Management] Data Collections, Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut. All requests for disclosure or amendment of these records should be directed to the Administrator.

(v) Routine sources of information retained in applications for tax relief for elderly renters and totally disabled persons include applicants for the tax relief, municipal assessors and municipal agents for the elderly.

(vi) Personal data in applications for tax relief for elderly renters and totally disabled persons are collected, maintained and used under the authority of Conn. Gen. Stat. Secs. 12-170d to 12-170g, inclusive.

(E) Applications for Tax Credits for Elderly Homeowners and Totally Disabled Persons.

(i) Applications for tax credits for elderly homeowners and totally disabled persons are maintained

with the Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(ii) Applications for tax credits for elderly homeowners and totally disabled persons are maintained in both automated and manual forms.

(iii) Applications for tax credits for elderly homeowners and totally disabled persons are maintained for the purposes of reimbursing municipalities for the revenue loss represented by the tax credits provided to eligible elderly homeowners and totally disabled persons and auditing and making adjustments to municipal claims for reimbursement.

(iv) Applications for tax credits for elderly homeowners and totally disabled persons are maintained with the Administrator of [Program Management] Data Collections, Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut. All requests for disclosure or amendment of these records should be directed to the Administrator.

(v) Routine sources of information retained in applications for tax credits for elderly homeowners and totally disabled persons include the applicant for tax credits, municipal assessors and municipal agents for the elderly.

(vi) Personal data in applications for tax credits for elderly homeowners and totally disabled persons are collected, maintained and used under the authority of Conn. Gen. Stat. Secs. 12-129b to 12-129d, inclusive, and Secs. 12-170aa to 12-170cc, inclusive.

(F) Real Property Sales Data.

(i) Real property sales data are maintained with the Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(ii) Real property sales data are maintained in [both automatic and manual] automated form.

(iii) Real property sales data are maintained for the purposes of determining the sales-assessment ratio for each town in order to calculate the equalized net grand list for each such town.

(iv) Real property sales data are maintained with the Administrator of [Program Management] Data Collections, Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(v) Routine sources of information retained in real property sales data include town clerks, town assessors and Sales Ratio Assessment personnel in the Office of Policy and Management.

(vi) Real property sales data are collected, maintained and used under the authority of Conn. Gen. Stat. Sec. 10-261b.

(G) Connecticut Partnership for Long-Term Care Policyholder Data.

(i) Connecticut Partnership for Long-Term Care Policyholder data are maintained with the Policy Development and Planning Division, 450 Capitol Avenue, Hartford, Connecticut.

(ii) Connecticut Partnership for Long-Term Care data are maintained in electronic form.

(iii) Connecticut Partnership for Long-Term Care data are maintained to manage and evaluate the Connecticut Partnership for Long-Term Care program, document the extent of Medicaid Asset Protection earned under the Connecticut Partnership for Long-Term Care program and assist Connecticut Partnership for Long-Term Care policyholders with questions regarding their policies.

(iv) Connecticut Partnership for Long-Term Care data are maintained with the Director of the Connecticut Partnership for Long-Term Care, Policy Development and Planning Division, 450 Capitol Avenue, Hartford, Connecticut.

(v) Routine sources of information retained in Connecticut Partnership for Long-Term Care Policyholder data include insurance companies and policyholders.

(vi) Connecticut Partnership for Long-Term Care data are collected, maintained and used under the authority of Conn. Gen. Stat. Sec. 38a-475.

(c) **Categories of Personal Data.**

(1) **Personnel Records**

(A) The following categories of personal data are maintained in personnel records:

- (i) Educational records.
- (ii) Medical or emotional condition or history.
- (iii) Employment records.
- (iv) [Marital status.] Licenses and Certificates of Marriage.
- (v) Dependent Birth Certificates.
- [(v)](vi) Other reference records.

(B) The following categories of other data may be maintained in personnel records:

- (i) Addresses.
- (ii) Telephone numbers.

(C) Personnel records are maintained on employees of the Office of Policy and Management and applicants for employment with the Office of Policy and Management.

(2) Records of Examination and Certification Applications of Revaluation Company Employees.

(A) The following categories of personal data are maintained in the records of examination and certification applications of revaluation company employees:

- (i) Educational records.
- (ii) Employment records.

(B) The following categories of other data may be maintained in the records of examination and certification applications of revaluation company employees:

- (i) Addresses.
- (ii) Telephone number.

(C) Records of examination and certification applications are maintained on certified revaluation company employees and applicants for certification.

(3) Records of Applications for Additional Property Tax Exemption for Veterans.

(A) The following categories of personal data are maintained in the records of applications for additional property tax exemption for veterans:

- (i) Medical [or emotional] condition [or history].
- (ii) Finances.
- (iii) Marital status.

(B) The following categories of other data may be maintained in the records of applications for additional property tax exemption for veterans:

- (i) Addresses.
- (ii) Telephone numbers.

(C) Records of applications for the additional property tax exemptions for veterans are maintained on applicants for such exemption.

(4) Records of Applications for Tax Relief for Elderly Renters and Totally Disabled Persons.

(A) The following categories of personal data are maintained in the records of applications for tax relief for elderly renters and totally disabled persons:

- (i) Medical [or emotional] condition [or history].
- (ii) Finances.
- (iii) Marital status.
- (iv) Social Security Numbers.

(B) The following categories of other data are maintained in records of applications for tax credits for elderly homeowners and totally disabled persons:

- (i) Addresses.
- (ii) Telephone numbers.

(C) Records of applications for tax credits for elderly homeowners and totally disabled persons are maintained on applicants for such tax credits.

(5) Real Property Sales Data Records.

[(A)] [The following categories of personal data are maintained in the records of real property sales:

[(i)] Finances.]

[(B)](A) The following categories of other data may be maintained in the records of real property sales:

(i) Addresses.

[(C)] [Records of real property sales are maintained on grantors and grantees of real property transactions.]

(6) Connecticut Partnership for Long-Term Care Policyholder Data Records.

(A) The following categories of personal data are maintained in the records of Connecticut Partnership for Long-Term Care Policyholder data:

(i) Names.

(ii) Addresses.

(iii) Telephone Numbers.

(iv) Gender.

(v) Social Security Numbers.

(B) The following Categories of other data may be maintained in the records of Connecticut Partnership for Long-Term Care Policyholder:

(i) Policy Benefits.

(ii) Claims Data.

(C) Records of Connecticut Partnership for Long-Term Care Policyholder data are maintained on Connecticut Partnership for Long-Term Care Policyholders.

(d) **Maintenance of Personal Data-general.**

(1) Personal data will not be maintained by the Office of Policy and Management unless relevant and necessary to accomplish the lawful purposes of the agency. Where the agency finds irrelevant or unnecessary public records in its possession, the agency shall dispose of the records in accordance with its records retention schedule and with the approval of the Public Records Administrator as per Conn. Gen. Stat. Sec. 11-8a, or, if the records are not disposable under the records retention schedule, request permission from the Public Records Administrator to dispose of the records under Conn. Gen. Stat. Sec. 11-8a.

(2) The Office of Policy and Management will collect and maintain all records with accurateness and completeness.

(3) Insofar as it is consistent with the needs and mission of the Office of Policy and Management, the Office, wherever practical, shall collect personal data directly from the persons to whom a records pertains.

(4) Employees of the Office of Policy and Management involved in the operations of the agency's personal data systems will be informed of the provisions of the (i) Personal Data Act, (ii) the agency's regulations adopted pursuant to Sec. 4-196, (iii) the Freedom of Information Act and (iv) any other state or federal statute or regulations concerning maintenance or disclosure of personal data kept by the agency.

(5) All employees of the Office of Policy and Management shall take reasonable precautions to protect personal data under their custody from the danger of fire, theft, flood, natural disaster and other physical threats.

(6) The Office of Policy and Management shall incorporate by reference the provisions of the Personal Data Act and regulations promulgated thereunder in all contracts, agreements or licenses for the operation of a personal data system or for research, evaluation and reporting of personal data for the agency or on its behalf.

(7) The Office of Policy and Management shall have an independent obligation to insure that personal data requested from any other state agency is properly maintained.

(8) Only employees of the Office of Policy and Management who have a specific need to review personal data records for lawful purposes of the agency will be entitled to access to such records under the Personal Data Act.

(9) The Office of Policy and Management will keep a written up-to-[data]date list of individuals entitled to access to each of the agency's personal data systems.

(10) The Office of Policy and Management will insure against unnecessary duplication of personal data records. In the event it is necessary to send personal data records through interdepartmental mail, such records will be sent in envelopes or boxes sealed and marked "confidential."

(11) The Office of Policy and Management will insure that all records in manual personal data systems are kept under lock and key and, to the greatest extent practical, are kept in controlled access areas.

(e) Maintenance of Personal Data-automated Systems.

(1) To the greatest extent practical, automated equipment and records shall be located in a limited access area.

(2) To the greatest extent practical, the Office of Policy and Management shall require visitors to such limited access area to sign a visitor's log and permit access to said area on a bona-fide need-to-enter basis only.

(3) To the greatest extent practical, the Office of Policy and Management will insure that regular access to automated equipment is limited to operations personnel.

(4) The Office of Policy and Management shall utilize appropriate access control mechanisms to prevent disclosure of personal data to unauthorized individuals.

(f) Maintenance of Personal Data-disclosure.

(1) Within four (4) business days of receipt of a written request therefor, the Office of Policy and Management shall mail or deliver to the requesting individual a written response in plain language, informing him/her as to whether or not the Office maintains personal data on that individual, the category and location of the personal data maintained on that individual and procedures available to review the records.

(2) Except where nondisclosure is required or permitted by law, the Office of Policy and Management shall disclose to any person upon written request all personal data concerning that individual which is maintained by the Office. The procedures for disclosure shall be in accordance with [Conn. Gen. Stat. Secs. 1-15 through 1-21k] the Connecticut Freedom of Information Act as amended from time to time. If the personal data is maintained in coded form, the Office shall transcribe the data into a commonly understandable form before disclosure.

(3) The Office of Policy and Management is responsible for verifying the identity of any person requesting access to his/her own personal data.

(4) The Office of Policy and Management is responsible for ensuring that disclosure made pursuant to the Personal Data Act is conducted so as not to disclose any personal data concerning persons other than the person requesting the information.

(5) The Office of Policy and Management may refuse to disclose to a person medical, psychiatric or psychological data on that person if the Office determines that such disclosure would be detrimental to that person. The Office may also refuse to disclose to a person personal data pertaining to that person if such nondisclosure is otherwise permitted or required by law. In either case, the Office shall advise that person of his/her right to seek judicial relief pursuant to the Personal Data Act.

(6) If the Office of Policy and Management refuses to disclose medical, psychiatric or psychological data to a person based on its determination that disclosure would be detrimental to that

person and nondisclosure is not mandated by law, the Office shall, at the written request of such person, permit a qualified medical doctor to review the personal data contained in the person's records to determine if the personal data should be disclosed. If disclosure is recommended by the person's medical doctor, the Office shall disclose the personal data to such person; if nondisclosure is recommended by such person's medical doctor, the Office shall not disclose the personal data and shall inform such person of the judicial relief provided under the Personal Data Act.

(7) The Office of Policy and Management shall maintain a complete log of each person, individual, agency or organization who has obtained access to, or to whom disclosure has been made of, personal data under the Personal Data Act, together with the reason for each such disclosure or access. This log shall be maintained by Human Resources and Payroll staff for not less than five (5) years from the date of such disclosure or access or for the life of the personal data record, whichever is longer.

(g) Contesting the Content of Personal Data Records

(1) Any person who believes that the Office of Policy and Management is maintaining inaccurate, incomplete or irrelevant personal data concerning him/her may file a written request with the Office for correction of said personal data.

(2) Within thirty (30) days of receipt of such request, the Office of Policy and Management shall give written notice to that person that it will make the requested correction, or if the correction is not to be made as submitted, the Office shall state the reason for its denial of such request and notify the person of his/her right to add his/her own statement to his/her personal data records.

(3) Following such denial by the Office of Policy and Management, the person requesting such correction shall be permitted to add a statement to his or her personal data record setting forth what that person believes to be an accurate, complete and relevant version of the personal data in question. Such statements shall become a permanent part of the Office's personal data system and shall be disclosed to any individual, agency or organization to which the disputed personal data is disclosed.

(h) Uses To Be Made of the Personal Data

(1) Personnel Records.

(A) Employees of the Office of Policy and Management who are assigned personnel and payroll responsibilities use that personal data contained in the Office's personnel records in processing promotions, reclassifications, transfers to another agency, retirement and other personnel actions. Managers and supervisors use the personal data when promotion, career counseling, or disciplinary action against such employee is contemplated, and for other employment-related purposes.

(B) Personnel records are retained in accordance with a records retention schedule adopted pursuant to Conn. Gen. Stat. Sec. 11-8a, a copy of which is available from the [Administrative Office] Division of Administration, Office of Policy and Management, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(2) Records of Examination and Certification Applications of Revaluation Company Employees.

(A) Records of examination and certification applications of revaluation company employees are used for the purposes of determining the qualifications of applicants for certification to perform property valuations for a municipality for assessment purposes. Users include [members of the Board of Assessment Advisers,] employees of the Intergovernmental [Relations] Policy Division[,] and others where permitted or required by law.

(B) Records of examination and certification applications of revaluation company employees are retained in accordance with a records retention schedule adopted pursuant to Conn. Gen. Stat. Sec. 11-8a, a copy of which is available from the Intergovernmental [Relations] Policy Division, Office of Policy and Management, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(3) Records of Applications for Additional Property Tax Exemption for Veterans.

(A) Records of applications for additional property tax exemption for veterans are maintained for

the purposes of reimbursing municipalities for the revenue loss represented by the additional property tax exemptions and for auditing and making necessary adjustments to municipal claims for such reimbursement. Users include employees of the Intergovernmental [Relations] Policy Division[,] and others where permitted or required by law.

(B) Records of applications for additional property tax exemption for veterans are retained in accordance with a records retention schedule adopted pursuant to Conn. Gen. Stat. Sec. 11-8a, a copy of which is available from the Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(4) Records of Applications for Tax Relief for Elderly Renters and Totally Disabled Persons.

(A) Records of applications for tax relief for elderly renters and totally disabled persons are maintained for the purpose of providing a State grant in refund of utility and rent bills of income-eligible elderly renters and totally disabled persons. Users include employees of the Intergovernmental [Relations] Policy Division[,] and others where permitted or required by law.

(B) Records of applications for tax relief for elderly renters and totally disabled persons are retained in accordance with a records retention schedule adopted pursuant to Conn. Gen. Stat. Sec. 11-8a, a copy of which is available from the Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(5) Records of Applications for Tax Credits for Elderly Homeowners and Totally Disabled Persons.

(A) Records of applications for tax credits for elderly homeowners and totally disabled persons are maintained for the purposes of reimbursing municipalities for the revenue loss represented by the tax credits provided to eligible elderly homeowners and totally disabled persons and for auditing and making necessary adjustments to municipal claims for such reimbursement. Users include employees of the Intergovernmental [Relations] Policy Division[,] and others where permitted or required by law.

(B) Records of applications for tax credits for elderly homeowners and totally disabled persons are retained in accordance with a records retention schedule adopted pursuant to Conn. Gen. Stat. Sec. 11-8a, a copy of which is available from the Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(6) Real Property Sales Data.

(A) Records of real property sales data are maintained for the purposes of determining the sales-assessment ratio for each town in order to calculate the equalized net grant list for each such town. Users include employees of the Intergovernmental Relations Division, and others where permitted or required by law.

(B) Records of real property sales data are retained in accordance with a records retention schedule adopted pursuant to Conn. Gen. Stat. Sec. 11-8a, a copy of which is available from the Intergovernmental [Relations] Policy Division, [80 Washington Street] 450 Capitol Avenue, Hartford, Connecticut.

(7) Connecticut Partnership for Long-Term Care Policyholder Data.

(A) Connecticut Partnership for Long-Term Care Policyholders data are maintained for the purposes of managing and evaluating the Connecticut Partnership for Long-Term Care program, documenting the extent of Medicaid Asset Protection earned under the Connecticut Partnership for Long-Term Care program and assisting Connecticut Partnership for Long-Term Care policyholders with questions regarding their policies. Users include employees of the Policy Development and Planning Division, and others were permitted or required by law.

(B) Records of Connecticut Partnership for Long-Term Care Policyholder data are retained in accordance with a records retention schedule adopted pursuant to Conn. Gen. Stat. Sec. 11-8a, a copy of which is available from the Policy Development and Planning Division, 450 Capitol Avenue,

Hartford, Connecticut.

(8) When an individual is asked to supply personal data to the Office of Policy and Management, the Office shall disclose to that individual, upon request, the name of the agency which is requesting the data, the legal authority under which the agency is empowered to collect and maintain the personal data, the individual's rights pertaining to such records under the Personal Data Act and the agency's regulations, the known consequences arising from supplying or refusing to supply the requested personal data, and the proposed use to be made of the requested personal data.

Statement of Purpose

Outdated information has been updated in this regulation. In addition, data collected through the Connecticut Partnership for Long-Term Care (Partnership) program, administered by the Office of Policy and Management, has been included. Under the authority of CGS 38a-475, the Partnership program collects from participating insurance companies personal data of purchasers of long-term care insurance policies approved through the Partnership program. Partnership purchaser data is maintained for the purposes of managing and evaluating the Partnership program, documenting the extent of Medicaid Asset Protection earned under the Partnership program and assisting Partnership policyholders with questions regarding their policies. Partnership policyholder data must be kept strictly confidential and is not shared with anyone except the actual policyholder or legal representative.